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EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/517,149

Applicant(s)

HORII, MINORU

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/6/2004 and 3/26/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The new title of the invention has been accepted.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 19-23, 25-34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 19, 20, 23: The limitations of "based on selected image on the image frame, the image processing means generates third print data for a frame image obtained by arranging third images of several kinds obtained by applying the image processing different from each other to the selected image, in a predetermined arrangement pattern; and the printing means prints the selected image and said frame image based on the third print data on printing medium" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled

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in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 21, 22: The limitations of "selecting an image form among the first and the second images; generating third print data for a frame image obtained by arranging third images of several kinds obtained by applying the image processing different from each other to the selected image, in a predetermined arrangement pattern; and the printing means prints the selected image and said frame image based on the third print data on printing medium" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 25: The limitations of "selecting a preferred image from among the images printed on the printing medium" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 26: The limitations of "selecting parameter values to adjust parameters of the preferred image" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 27: The limitations of "processing the preferred image according to the selected parameter values" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 28: The limitations of "printing the processed preferred image along with at least one image processed according to parameter values different from, but related to, the selected parameter values" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 29: The limitations of "repeat the step of: selecting a preferred image from among the images printed on the printing medium; selecting parameter values to adjust parameters of the preferred image; processing the preferred image according to the selected parameter values; printing the processed preferred image along with at least one image processed according to parameter values different from, but related to, the selected parameter values; until a desired image is produced" are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 30: The limitations of "wherein the image processor generates an entire first image based on parameter values input to the operation input unit and at

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least one entire second image based on parameter values related to the parameter values input to the input unit.” are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 31: Claim 31 is under 35 U.S.C. 112, first paragraph rejected because it depends on rejected claim 30.

Regarding claim 32: The limitations of “wherein a selected image and new parameter values are input to the operation input unit based upon the printed entire first image and the at least one entire second image” are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 33: The limitations of “wherein the image processor processes the selected image with the new parameter values, and generates at least one entire third image, based on the input new parameter values” are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 34: The limitations of “wherein the printing unit prints the entire processed selected image and the at least one entire third image on a printing medium” are subject matter which was not described in the specification in such a way as to

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reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-20, 23-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuboi et al (US 4,958,221).

Regarding claim 1: Tsuboi teaches a printer (digital copy machine, column 7, line 8) for printing a first image (m1, y1, c1, fig. 7, column 8, lines 37-68, column 9, line 1) based on supplied first print data on a printing medium, comprising: image processing means (color tone setting circuit, column 8, line 50) for applying predetermined image processing to the first entire (the entire of m1, y1, c1) print data (column 9, lines 1-10); and printing means (column 4, line 52) for printing the entire first image based on the first print data subjected to the image processing on the printing medium, wherein: the image processing means, when a predetermined operation mode is selected (e.g., selecting y0, y2, m0, m2, column 9, lines 1-15), generates second print data (the

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repeated image with different color balances, abstract) for a frame image (EA, column 8, lines 44-46) obtained by arranging second images of several kinds obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the first image, in a predetermined arrangement pattern; and the printing means prints the frame image based on the second print data on printing medium (abstract).

Regarding claim 2: Tsuboi teaches wherein the frame image is formed by arranging the first entire image (m1, y1, c1, fig. 7) in the center and arranging the second images (e.g., y0, m0, c1, fig. 7) of several kinds in a predetermined arrangement pattern centering the first image.

Regarding claim 3: Tsuboi teaches wherein the frame image is formed by displaying parameter values (e.g., y0, y1, y2, etc, fig. 7) set to the first image and the second images of several kinds at predetermined positions respectively corresponding to the first image and the second images of several kinds.

Regarding claim 4: Tsuboi teaches a printer (digital copy machine, column 7, line 8) for printing a first image (m1, y1, c1, fig. 7, column 8, lines 37-68, column 9, line 1) based on supplied first print data on a printing medium, comprising: operation input means (the function part of the printer that set the color adjustment coefficient, column 9, lines 30-35) for selecting predetermined image processing for first print data (e.g., setting c1, m1, y1, column 9, lines 1-2); image processing means (color tone setting circuit, column 8, line 50) for applying the selected predetermined image processing to the first print data (column 9, lines 1-10); and printing means (column 4, line 52) for printing the entire first image based on the first print data subjected to the image

processing on the printing medium, wherein: the image processing means, when a predetermined operation mode is selected (e.g., selecting y0, y2, m0, m2, column 9, lines 1-15), generates second print data (the repeated image with different color balances, abstract) for a frame image (EA, column 8, lines 44-46) obtained by arranging second entire images of several kinds obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the first image, in a predetermined arrangement pattern; and the printing means prints the frame image based on the second print data on printing medium (abstract).

Regarding claim 5: Tsuboi teaches wherein the frame image is formed by arranging the first entire image (m1, y1, c1, fig. 7) in the center and arranging the second entire images (e.g., y0, m0, c1, fig. 7) of several kinds in a predetermined arrangement pattern centering the first image.

Regarding claim 6: Tsuboi teaches wherein the frame image is formed by displaying parameter values (e.g., y0, y1, y2, etc, fig. 7) set to the first image and the second images of several kinds at predetermined positions respectively corresponding to the first image and the second images of several kinds.

Regarding claims 7-12: Claims 7-12 are claiming method steps for the printer discussed in claims 1-6; please see discussion on claims 1-6.

Regarding claim 13: Tsuboi teaches a printing medium (copying paper, column 9, line 1) for a printer (fig. 2, digital copy machine, column 7, line 8) which prints a first image (m1, y1, c1, fig. 7, column 8, lines 37-68, column 9, line 1) based on supplied first print data on a printing medium, the printer comprising: image processing means (color

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tone setting circuit, column 8, line 50) for applying predetermined image processing to the first print data (column 9, lines 1-10); and printing means (column 4, line 52) for printing the entire first image based on the first print data subjected to the image processing on the printing medium, wherein: the image processing means, when a predetermined operation mode is selected (e.g., selecting y0, y2, m0, m2, column 9, lines 1-15), generates second print data (the repeated image with different color balances, abstract) for a frame image (EA, column 8, lines 44-46) obtained by arranging second images of several kinds obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the first image, in a predetermined arrangement pattern; and the printing means prints the frame image based on the second print data on printing medium (abstract).

Regarding claim 14: Tsuboi teaches wherein the frame image is formed by arranging the entire first image (m1, y1, c1, fig. 7) in the center and arranging the entire second images (e.g., y0, m0, c1, fig. 7) of several kinds in a predetermined arrangement pattern centering the first image.

Regarding claim 15: Tsuboi teaches wherein the frame image is formed by displaying parameter values (e.g., y0, y1, y2, etc., fig. 7) set to the first image and the second images of several kinds at predetermined positions respectively corresponding to the first image and the second images of several kinds.

Regarding claim 16: Tsuboi teaches wherein the predetermined arrangement pattern is the one in which the entire first image (m1, y1, c1, fig. 7) is arranged in the center and the second images (e.g., y0, m0, c1, fig. 7) of several kinds are arranged

centering the first image on the basis of the parameter values (e.g., y_0 , y_1 , y_2 , fig. 7) of the second images.

Regarding claim 17: Tsuboi teaches wherein parameter value (c_0 , y_0 , m_0 , column 9, lines 1-10) is comprised of the color components (c , m , y , column 9, lines 1-10) of the color adjustment processing for the image, and the parameter value (e.g., c_2 , m_2 , y_2 , column 9, lines 1-10) of the second image is the value of the color components (c , m , y) changed on the basis of the parameter value of the first image by the color adjustment processing (column 9, lines 1-10).

Regarding claim 18: Tsuboi teaches wherein the predetermined operation mode represents at least one processing out of the color adjustment processing, (column 9, line 4), lightness adjustment processing, masking processing, gama compensation processing, enlargement/reduction processing, sharpness adjustment processing, and trimming processing.

Regarding claim 19: Tsuboi teaches: based on selected image on the image frame (EA, fig. 5), the image processing means generates third print data (e.g., the group of data of c_2 , fig. 7) for a frame image obtained by arranging third images of several kinds (e.g., c_2 , m_0 , y_0 , c_2 m_0 , y_1 , fig. 7) obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the selected image, in a predetermined arrangement pattern; and the printing means prints the selected image and said frame image based on the third print data on printing medium (abstract).

Regarding claims 20: Tsuboi teaches: based on selected image on the image frame (EA, fig. 5), the image processing means generates third print data (e.g., the

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group of data of c2, fig. 7) for a frame image obtained by arranging third images of several kinds (e.g., c2, m0, y0, c2 mo, y1, fig. 7) obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the selected image, in a predetermined arrangement pattern; and the printing means prints the selected image and said frame image based on the third print data on printing medium (abstract).

Regarding claim 23: Tsuboi teaches: based on selected image on the image frame (EA, fig. 5), the image processing means generates third print data (e.g., the group of data of c2, fig. 7) for a frame image obtained by arranging third images of several kinds (e.g., c2, m0, y0, c2 mo, y1, fig. 7) obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the selected image, in a predetermined arrangement pattern; and the printing means prints the selected image and said frame image based on the third print data on printing medium (abstract).

Regarding claim 24: Tsuboi teaches a method of printing an image comprising: processing image data (image of EA, fig. 5, column 8, lines 40-50) according to a predetermined first image process (column 8, lines 50-55) to form a first processed image (m1, y1, c1, fig. 7, column 8, lines 37-68, column 9, line 1); processing the image data according to at least one other second image process (e.g., y0, m0, c0, column 9, lines 1-30) to produce at least one second processed image; printing the entire first processed image and the entire at least one other second processed image in a predetermined pattern (fig. 7) on a recording medium (column 9, line 1).

Regarding claim 25: Tsuboi teaches selecting a preferred image from among the images printed on the printing medium (e.g., selecting c1, m1, y1, as standard, column

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1, lines 1-30, or selecting y_2 , m_2 , c_2 , as standard, column 10, lines 1-35, based on value n).

Regarding claim 26: Tsuboi teaches selecting parameter values (choosing a positive a_0 , column 9, lines 1-40, or negative a_0) to adjust parameters (c_1 , y_1 , m_1 , column 9, lines 1-30) of the preferred image.

Regarding claim 27: Tsuboi teaches processing the preferred image according to the selected parameter values (column 9, lines 15-30).

Regarding claim 28: Tsuboi teaches printing (fig. 7) the processed preferred image along with at least one image processed according to parameter values (e.g., negative a_0 , column 9, lines 15-30) different from, but related to, the selected parameter values.

Regarding claim 29: Tsuboi teaches repeating the step (the step is to be performed 2 times when $n=3$, and 3 times when $n=4$, column 9) of: selecting a preferred image from among the images printed on the printing medium (e.g., selecting c_1 , m_1 , y_1 , as standard, column 1, lines 1-30, or selecting y_2 , m_2 , c_2 , as standard, column 10, lines 1-35, based on value n); selecting parameter values (choosing a positive a_0 , column 9, lines 1-40, or negative a_0) to adjust parameters (c_1 , y_1 , m_1 , column 9, lines 1-30) of the preferred image; processing the preferred image according to the selected parameter values (column 9, lines 15-30); printing (fig. 7) the processed preferred image along with at least one image processed according to parameter values (e.g., negative a_0 , column 9, lines 15-30) different from, but related to, the selected parameter

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values; until a desired image is produced (user can input the values of $n=3, 4$, etc, column 9, lines 30-40, column 8, lines 29-30)

Regarding claim 30: Tsuboi teaches a printer (digital copy machine, column 7, line 8) comprising: an operation input unit (column 7, lines 25-41); and image processor (column 7, lines 53-65); and a printing unit (column 5, lines 10-15); wherein the image processor generates an entire first image ($c1, m1, y1$, column 9, lines 1-30 of the entire area of EA, column 8, lines 58-50) based on parameter values (n , column 8, lines 60-68) input to the operation input unit and at least one entire second image (the image formed by $c2, m2, y2$, column 9, lines 1-30) based on parameter values (e.g., $c2, y2, m2$, column 9, lines 1-15) related to the parameter values input to the input unit.

Regarding claim 31: Tsuboi teaches wherein the printing units prints the entire first image (the entire EA image of $c1, y1, m1$, column 9, lines 1-30) and the at least one entire second image (the entire EA image of $c2, y2, m2$, column 9, lines 1-30) on a printing medium.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 21-22, 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuboi (US 4,958,221).

Regarding claims 21, 22: Tsuboi teaches generates third print data (e.g., the group of data of c2, fig. 7) for a frame image obtained by arranging third images of several kinds (e.g., c2, m0, y0, c2, mo, y1, fig. 7) obtained by applying the image processing different from each other (column 9, lines 1-15, fig. 7) to the selected image (EA, fig. 5), in a predetermined arrangement pattern; and the printing means prints the selected image and said frame image based on the third print data on printing medium (abstract).

Tsuboi does not teach the selected image is selected from the first and second monitored printed images.

However, Tsuboi teaches to select (column 8, lines 35-50, fig. 5) images printed on a paper (column 4, lines 44-56), to form the images of fig. 7, for monitoring the printed images qualities for reprinting.

Since the images of fig. 7 is printed on a copy paper; column 9, line 1; it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Tsuboi's printed first and second monitored images by selecting and monitoring a particular images (fig. 7) formed on the copy paper with the first and the second images, such that Tsuboi's invention would be used in all situation-including the monitoring of images printed on a recording medium by the printer of Tsuboi to fully utilize Tsuboi's invention.

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Regarding claim 32: Tsuboi teaches select image (EA, fig. 5) and new parameter (n, column 8, lines 50-65, column 9, lines 30-40) values, based on printed images (document, column 4, lines 35-45)

Tsuboi does not teach the selected image is the entire first and at least one of the second images.

However, Tsuboi teaches to select (column 8, lines 35-50, fig. 5) images printed on a paper (column 4, lines 44-56), to form the images of fig. 7, for monitoring the printed images qualities for reprinting.

Since the images of fig. 7 is printed on a copy paper; column 9, line 1; it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Tsuboi by selecting and monitoring images of the first image and at least one of the second images formed on the copy paper with the first and the second images, such that Tsuboi's invention would be used in all situation-including the monitoring of images printed on a recording medium by the printer of Tsuboi to fully utilize Tsuboi's invention.

Regarding claim 33: Tsuboi teaches wherein the image processor processes the selected image with the new parameter values, (column 9) and generates at least one entire third image (fig. 7), based on the input new parameter values.

Regarding claim 34: Tsuboi teaches wherein the printing unit prints (fig. 7) the entire processed selected image and the at least one entire third image on a printing medium (column 9, line 1).

Response to Arguments

8. Applicant's arguments filed on 5/6/2004 and 3/26/2004 have been fully considered but they are not persuasive.

With respect to applicant's argument that Tsuboi does not teach to use entire first image, has been considered.

In reply: Tsuboi, column 8, lines 40-55, teaches to print the entire image data I, which corresponds to the area EA.

With respect to applicant's argument that Tsuboi does not teach repeat adjustment based on selected entire image, has been considered.

In reply: Tsuboi does not teach the selected image is selected from the first and second monitored printed images.

However, Tsuboi teaches to select (column 8, lines 35-50, fig. 5) images printed on a paper (column 4, lines 44-56), to form the images of fig. 7, for monitoring the images qualities.

Since the images of fig. 7 is printed on a copy paper; column 9, line 1; it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Tsuboi's printed first and second monitored images by selecting and monitoring a particular images (fig. 7) formed on the copy paper with the first and the second images, such that Tsuboi's invention would be used in all situation-including the monitoring of images printed on a recording medium by the printer of Tsuboi to fully utilize Tsuboi's invention.

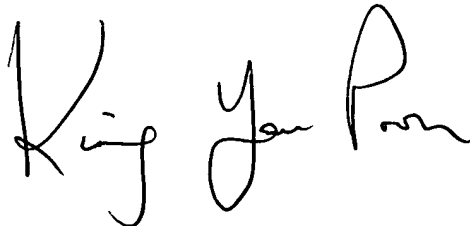
9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892

July 22, 2004

A handwritten signature in black ink, appearing to read "King Y. Poon". The signature is written in a cursive, flowing style.